S.B. Civil Misc. Appeal No.16/1999

Malam Chand.
vs.
Sarso Bai and others.

Date : 20.9.2006

HON'BLE MR. PRAKASH TATIA, J.

Mr. RR Nagori, for the appellant.
None present for the respondent.

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Heard learned counsel for the appellant as nobody appeared for the respondent even in second round.

This appeal is directed against the impugned order dated 17.11.1998 whereby the court below dismissed the injunction application.

While issuing notice to the respondents, this Court on 11.2.1999 directed that till further orders, status quo be maintained by both the parties. More than seven years have passed after the said order directing maintenance of status quo by both the parties, therefore, this appeal can be disposed of with a direction to the court below to decide the suit expeditiously and till then, both the parties shall maintain status quo with respect to the property in dispute.

Consequently, this appeal is allowed, the order dated 17.11.1998 is set aside and the court below is requested to decide the suit expeditiously.

Till the suit is decided by the court below, both the parties shall maintain status quo with respect to the property in dispute.

(PRAKASH TATIA), J.

S.Phophaliya